

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 7-13 are pending in the application. Claim 7 is amended.

Reconsideration is respectfully requested, for the rejection of the claims under 35 USC 102(b) as anticipated by HABER US 5,320,609.

The Official Action offers elements 112, 12 of HABER as an O-ring. As seen in Figures 2B and 2C of HABER, the O-ring 112 encircles the main body 4 of the device of HABER. In the safe position of Figure 2B with the plunger retracted (and the needle retracted) the O-ring 112 is spaced from the proximal end 110 of the outer sleeve 10 and abuts the lower end of a dosing cap 62. After the device is fired, the sleeve 10 moves to the position shown in Figure 2(a). As disclosed on column 4, lines 55-57 of HABER, movement of the sleeve 10 is limited by the proximal end 110 engaging the O-ring (unnumbered, but referring to O-ring 112) adjacent the locking cap 62. As seen in Figures 2A-2C of HABER, the O-ring 112 remains adjacent to the cap 62 at all times. HABER does not disclose that the O-ring moves. Thus HABER does not meet the recited "the syringe container is moved by and with the O-ring linearly from said first to said second position".

Rather, in HABER the sleeve 10 moves while the O-ring is stationary.

Moreover, it is clear from the final sentence of the abstract of HABER that there is a releasable clutch mechanism (pads 194) in Figure 3 to release the piston driver 140 for dosing movement once the end of the insertion phase is reached. This is described in column 7 lines 6-32. HABER does not disclose that "whereupon arresting of further movement of the syringe container results in the frictional grip between the plunger and the O-ring being overcome, thus enabling the plunger to move by a secondary movement relatively to the O-ring, further into the syringe container".

In view of the above, it would appear that the O-ring of HABER simply acts as a shock absorber to dampen the impact of the outer sleeve 10 and does not move in the manner recited and does not enable the plunger to move in the manner recited.

In addition, with respect to the plunger of claim 7, the enlarged view of Figure 2C of HABER makes it clear that the O-ring 112 surrounds the sleeve referenced 8, 76 which is the proximal end of the main barrel (see column 4, lines 25-29). This barrel does not meet the recited plunger. That is, barrel 8, 76 does not have "its free end positioned within the other end of a container of the syringe".

Inspection of Figure 2C of HABER shows that the component that enters the syringe is reference 140, which is the cylindrical piston driver (column 5, line 45, 46). Internally threaded within the cylindrical piston driver 140 is a dose adjusting screw 158.

Further inspection of Figure 2C shows that the O-ring 112 does not bear against the enlarged other end of the syringe container but instead bears against the outer sleeve. The component referred to in the Official Action reference 110 is the proximal end of the outer sleeve 10 (see column 4, lines 55-57). A review of the exploded view of Figure 3 of HABER clearly shows the outer sleeve 10 distinct from the container 16.

There is furthermore no equivalent to the arrangement of the present invention whereby primary movement of the plunger under the bias of the actuating bias transmits a frictional force to the O-ring so that the syringe container is moved by and with the O-ring linearly (emphasis added) to cause the needle to project from the housing. Nor is there disclosure of an arrangement in which, upon arresting of the syringe container, the frictional grip between the plunger and the O-ring is overcome to enable the plunger to move by secondary movement, relative to the O-ring, into the syringe container to expel a dose.

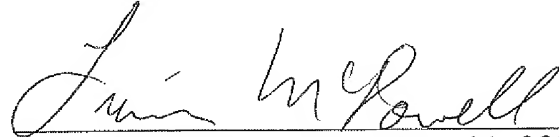
For these reasons the present invention as claimed is patentably distinguished from HABER et al.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been place in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Liam McDowell", is written over a horizontal line.

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